

minutes

Chief Executive Officer Recruitment and Performance Review Committee

MEETING HELD ON

MONDAY 23 MAY 2022

Acknowledgement of Traditional Custodians

The City of Joondalup acknowledges the traditional custodians of the land, the Whadjuk people of the Noongar nation, and recognises the culture of the Noongar people and the unique contribution they make to the Joondalup region and Australia. The City of Joondalup pays its respects to their Elders past and present and extends that respect to all Aboriginal and Torres Strait Islander peoples.

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Note:

Clause 15.10 of the City's *Meeting Procedures Local Law 2013* states:

This local law applies generally to committee meetings except for clause 7.1 in respect of members seating and clause 7.8 in respect of limitation on members speaking.

CITY OF JOONDALUP

MINUTES OF THE CHIEF EXECUTIVE OFFICER RECRUITMENT AND PERFORMANCE REVIEW COMMITTEE MEETING HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY 23 MAY 2022.

ATTENDANCE

Committee Members

Mayor Hon. Albert Jacob, JP	<i>Presiding Member</i>	
Cr Tom McLean, JP		
Cr Daniel Kingston		
Cr Christopher May	<i>Deputy Presiding Member</i>	<i>from 5.53pm</i>
Cr Suzanne Thompson		
Cr Christine Hamilton-Prime, JP		<i>from 5.53pm</i>
Cr John Chester		

Observer

Cr Hill.

Officers

Mr James Pearson	Chief Executive Officer
Mr Jamie Parry	Director Governance and Strategy
Mr Glenn Heaperman	Manger Human Resources
Mrs Kylie Bergmann	Manager Governance

DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5.47pm.

DECLARATIONS OF FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT IMPARTIALITY

Disclosures of Financial Interest / Proximity Interest

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees are able to continue to provide advice to the Council in the decision-making process if they have disclosed their interest.

Name / Position	Mr James Pearson, Chief Executive Officer.
Item No. / Subject	Item 1 - Confidential - Chief Executive Officer Annual Performance Review Program 2022.
Nature of Interest	Financial Interest.
Extent of Interest	Mr Pearson holds the position of Chief Executive Officer.

Name / Position	Mr James Pearson, Chief Executive Officer.
Item No. / Subject	Item 2 - Progress Report – Chief Executive Officer Performance Review.
Nature of Interest	Financial Interest.
Extent of Interest	Mr Pearson holds the position of Chief Executive Officer.

APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence Previously Approved

Cr Nige Jones	19 and 31 May 2022 inclusive.
Cr Nige Jones	7 June 2022 inclusive.
Cr Russ Fishwick	19 to 22 June 2022 inclusive.
Cr Tom McLean	14 to 20 July 2022 inclusive.
Mayor Albert Jacob	4 to 22 July 2022 inclusive.

CONFIRMATION OF MINUTES

MINUTES OF THE CHIEF EXECUTIVE OFFICER RECRUITMENT AND PERFORMANCE REVIEW COMMITTEE HELD ON 21 FEBRUARY 2022

MOVED Cr Chester, **SECONDED** Cr Thompson that the minutes of the meeting of the Chief Executive Officer Recruitment and Performance Review Committee held on 21 February 2022 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Kingston, McLean and Thompson.

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

In accordance with Clause 5.2 of the City's *Meeting Procedures Local Law 2013*, this meeting is not open to the public.

PETITIONS AND DEPUTATIONS

Nil.

REPORTS

Disclosure of Financial Interest / Proximity Interest

Name / Position	Mr James Pearson, Chief Executive Officer.
Item No. / Subject	Item 1 - Confidential - Chief Executive Officer Annual Performance Review Program 2022.
Nature of Interest	Financial Interest.
Extent of Interest	Mr Pearson holds the position of Chief Executive Officer.

ITEM 1 **CONFIDENTIAL - CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE REVIEW PROGRAM 2022**

WARD	All
RESPONSIBLE	Mr Jamie Parry
DIRECTOR	Governance and Strategy
FILE NUMBER	74574, 101515
ATTACHMENT	<p>Attachment 1 Clauses 11 and 12.19-12.22 of the Chief Executive Officer's Contract of Employment</p> <p>Attachment 2 Chief Executive Officer Performance Review – Timetable 2022</p> <p>Attachment 3 Chief Executive Officer KPIs 2021/22</p> <p>Attachment 4 Draft RFQ for Consultancy Services to Support the Chief Executive Officer Recruitment and Performance Review Committee</p> <p>Attachment 5 City of Joondalup Model Standards for CEO Recruitment and Selection, Performance Review and Termination</p> <p>Attachment 6 DLGSCI Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination</p> <p><i>(Please Note: This Report and Attachments are Confidential and will appear in the official Minute Book only).</i></p>
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

This report is confidential in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

(a) a matter affecting an employee or employees.

A full report was provided to Elected Members under separate cover. The report is not for publication.

Cr Hamilton-Prime and Cr May entered the room at 5.53pm.

MOVED Cr McLean, SECONDED Cr May that the Chief Executive Officer Recruitment and Performance Review Committee:

- 1 APPROVES the timetable for the performance review of the Chief Executive Officer as detailed in Attachment 2 of this Report, and sets the date for the formal performance review interview as 30 August 2022;**
- 2 NOTES the draft Request for Consultation for Consultancy Services to Support the Chief Executive Officer Recruitment and Performance Review as detailed in Attachment 4 to this Report, to meet the requirements of clause 11.6 (a) of the Chief Executive Officer Employment Contract;**
- 3 ENDORSES the process of seeking input into the Chief Executive Officer's Key Performance Indicators from Elected Members at the same time as feedback is provided in relation to the CEO's performance review and that the review of the Chief Executive Officer's Key Performance Indicators be undertaken at the interview with the Chief Executive Officer in relation to his annual performance;**
- 4 ENDORSES the process of undertaking the annual salary review at the same meeting as its consideration of the Concluded Annual Performance Review Report.**

The Motion was Put and

CARRIED (7/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Kingston, Hamilton-Prime, May, McLean and Thompson.

Disclosure of Financial Interest / Proximity Interest

Name / Position	Mr James Pearson, Chief Executive Officer.
Item No. / Subject	Item 2 - Progress Report – Chief Executive Officer Performance Review.
Nature of Interest	Financial Interest.
Extent of Interest	Mr Pearson holds the position of Chief Executive Officer.

ITEM 2 PROGRESS REPORT – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	74574, 101515
ATTACHMENT / S	Attachment 1 Confidential - CEO KPIs Progress Report Quarter Three <i>(Please Note: Attachment 1 is Confidential and will appear in the official Minute Book only).</i>
AUTHORITY / DISCRETION	Information – includes items provided to Council for information purposes only that do not require a decision of Council (that is for 'noting').

PURPOSE

For the Chief Executive Officer Recruitment and Performance Review Committee to receive the progress report on the Chief Executive Officer's Key Performance Indicators (CEO KPIs) for 2021-22 (Quarter Three) and provide feedback.

EXECUTIVE SUMMARY

The 2021-22 Quarter Three progress report provides information relating to the progress of the CEO KPIs for the period 1 January 2022 to 31 March 2022.

It is therefore recommended that the Chief Executive Officer Performance and Review Committee NOTES the progress towards the Key Performance Indicators for the Chief Executive Officer for the period 1 January 2022 to 31 March 2022.

BACKGROUND

At the Chief Executive Officer Recruitment and Performance Review Committee (the Committee) meeting held on 28 September 2021 the following was resolved:

“That the Chief Executive Officer Recruitment and Performance Review Committee:

- 1 *ADOPTS the Chief Executive Officer Recruitment and Performance Review Committee’s Confidential Concluded Annual Performance Review Report as in Attachment 2 to this Report, and endorses the overall rating of “met or exceeded the performance requirements set by Council for the period ending 30 June 2021”; and*
- 2 *ADOPTS the Key Performance Indicators for the 2021-22 review period as detailed in Attachment 1 to this Report.*

At this meeting, the Chief Executive Officer outlined his commitment to providing quarterly progress reports to the Committee towards achieving the KPIs.

At its meeting held on 12 October 2021 (CJ148-10/21 refers), Council adopted the Key Result Areas and Key Performance Indicators for the Chief Executive Officer for 2021-22.

The Chief Executive Officer Recruitment and Performance Review Committee has NOTED progress towards the KPIs at its meetings held on 29 November 2021 (for Quarter One) and 21 February 2022 (for Quarter Two).

DETAILS

The Committee is responsible for reviewing the Chief Executive Officer’s performance on an on-going basis as and when deemed necessary in accordance with the appropriate provisions contained within the Chief Executive Officer’s employment contract; as well as reviewing the key performance indicators to be met by the Chief Executive Officer.

The 2021-22 Quarter Three progress report provides information relating to the progress of the CEO KPIs for the period 1 January 2022 to 31 March 2022 (Attachment 1 refers).

Legislation / Strategic Community Plan / Policy implications

Legislation	Section 5.38 (1) and (3) of the <i>Local Government Act 1995</i> . <i>“Annual review of employees’ performances</i> (1) <i>A local government must review the performance of the CEO if the CEO is employed for a term of more than 1 year.</i> (3) <i>A review under subsection (1) must be conducted at least once in relation to each year of the person’s employment”.</i>
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Strategic Community Plan

Key theme	Governance and Leadership.
Objective	Corporate Capacity.
Strategic initiative	Demonstrate accountability through robust reporting that is relevant and easily accessible by the community. Continuously strive to improve performance and service delivery cross all corporate functions.

Policy City of Joondalup Standards for CEO Recruitment, Performance and Termination.

Risk management considerations

The performance review process is designed to evaluate and assess the Chief Executive Officers Performance against KPIs on a periodic basis.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The 2021-22 Quarter Three progress report provides information relating to the progress of the CEO KPIs adopted at the Council meeting held on 28 September 2021.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hamilton-Prime, **SECONDED** Cr May that the Chief Executive Officer Recruitment and Performance Review Committee **NOTES** the progress towards the Key Performance Indicators for the Chief Executive Officer for the period 1 January 2022 to 31 March 2022.

The Motion was Put and

CARRIED (7/0)

In favour of the Motion: Mayor Jacob, Crs Chester, Kingston, Hamilton-Prime, May, McLean and Thompson.

URGENT BUSINESS

Nil.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

Nil.

CLOSURE

There being no further business, the Presiding Member declared the Meeting closed at 6.42pm the following Committee Members being present at that time:

Mayor Hon. Albert Jacob, JP
Cr Tom McLean, JP
Cr Daniel Kingston
Cr Christopher May
Cr Suzanne Thompson
Cr Christine Hamilton-Prime, JP
Cr John Chester